



U.S. House of Representatives Committee on the Judiciary

F. James Sensenbrenner, Jr., Chairman

<http://judiciary.house.gov/>

News Advisory

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Sensenbrenner Praises Enforcement of Today's Visa Waiver Program Deadline for More Secure New Passports

WASHINGTON, D.C. - House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.), a key author of the Enhanced Border Security and Visa Entry Reform of 2002 (P.L. 107-173), praised the enforcement of today's deadline that new passports issued by Visa Waiver Program (VWP) countries must have a digital photo.

Chairman Sensenbrenner stated, "I fully support and commend the Bush administration for its appropriate enforcement of today's digital photograph requirement deadline (see DHS announcement at bottom). Three years ago, I helped author the Enhanced Border Security and Visa Entry Reform Act to address several of our Nation's vulnerabilities to terrorism."

"The leaders of the 9/11 terrorist attack either lived in Europe as resident aliens prior to the attack or traveled directly from Europe en route to the execution of this awful assault. Subsequent trials in Spain have confirmed that the 9/11 attacks were significantly planned in European countries enjoying Visa Waiver Program status. Zacarias Moussaoui, the '20th terrorist' came to the U.S. from France with a French passport under the Visa Waiver Program," said Chairman Sensenbrenner.

Specifically, the Enhanced Border Security and Visa Entry Reform Act of 2002 requires that any passport issued after October 26, 2005, and used for VWP travel, must include a digital photo. The governments of France and Italy have been notified they will be subject to visa requirements for travelers with newly issued passports. Both countries have notified the U.S. that they will meet the requirements, though not by today's deadline. Effective today, transportation carriers will be subject to fines for transporting any visitor traveling under the Visa Waiver Program to the United States with a new passport who does not meet these requirements. The Secretary of

Homeland Security has advised these carriers of the new requirements, and the U.S. Embassies in Italy and France have likewise posted notices to advise that visitors traveling under the Visa Waiver Program arriving in the United States on that date without the proper passport should not anticipate being granted entry into this country.

“I am particularly disappointed that France has not moved sooner to improve its passport security regime, especially because the French government has experienced several significant thefts of blank passports over the past two years. Today’s requirement is important because digital photographs provide more security against counterfeiting than traditional photographs. Photo switching on the passport data page is much easier and cheaper with traditional photographs than with digital photographs. Millions of lost and stolen passports are in circulation, many of which have been altered to be presented by an imposter. It’s critical that the U.S. take this practical and cost effective measure to reduce the risk of imposters entering with an altered passport,” Chairman Sensenbrenner added.

“I want to congratulate Secretary Chertoff on the success of the DHS outreach effort, as there are only two countries out of the twenty-seven in the program that failed to meet this deadline. His Department announced the digital photo requirement on June 15, 2005, and held three meetings with all VWP countries to reinforce the requirements and explain the consequences, and it appears the majority were paying attention.

“I also want to congratulate Great Britain and Australia on beginning this week the issuance of passports on a pilot basis that are designed to meet the additional requirements set to be effective October 26, 2006. They join Belgium in raising passports up to the security standards all advanced countries should meet to improve the safety of international travel. Shoe-bombers like Richard Reid on international flights are of concern to everyone. I strongly urge the other VWP countries to follow their lead, and have their new passports in place before next year’s deadline.”

DHS release is below.

October 26, 2005

Contact: DHS Press Office, 202-282-8010

MAJORITY OF VWP COUNTRIES TO MEET DIGITAL PHOTO DEADLINE

25 of 27 Visa Waiver Program Countries fully comply with October 26th passport requirement

WASHINGTON, DC - The Department of Homeland Security (DHS) announced today the majority of the Visa Waiver Program (VWP) countries will meet the requirement to produce passports with digital photographs by October 26, 2005. Based on a Congressional mandate, the requirement for digital photographs is part of a multi-layered approach to increasing the security of our citizens and visitors by helping to ensure the integrity of their travel documents.

Twenty-five of the 27 VWP countries have achieved full compliance with the October 26, 2005 requirements. Most of the VWP countries have done so by producing passports with digital photos integrated into the data page of the passport.

Austria will issue passports to self-identified travelers to the United States with a visa "foil" integrated in a visa page of the passport. This visa foil alternative is an acceptable alternative means of compliance with the digital photo requirement, and DHS certified earlier today that Austria is now compliant with the October 26 requirement.

Italy and France will have limited digital photo production capabilities in operation by October 26, 2005 to replace all passports that will expire with passports that include digital photos. Therefore, travelers from these countries are urged to contact their local passport issuance offices to obtain information on whether a digital passport can be issued. If not, DHS urges travelers to obtain a visa prior to travel to the United States. DHS will continue to work closely with these countries to certify their full compliance as soon as possible.

Beginning October 26, 2005, transportation carriers will be fined up to \$3,300, per violation, for transporting any visitor traveling under the Visa Waiver Program to the United States who does not meet these requirements. Similarly, visitors traveling under the Visa Waiver Program arriving in the United States on that date without the proper passport should not anticipate being granted entry into the country.

The 9/11 Commission placed great emphasis on secure travel documents as several of the 9/11 hijackers used fraudulent travel documents to enter the United States. The Commission concluded that "for terrorists, travel documents are as important as weapons."

To target fraudulent document use, the U.S. Congress mandated in the Enhanced Border Security and Visa Entry Reform Act of 2002 that any passport issued after October 26, 2005, and used for VWP travel to the United States, must include a biometric identifier.

Responding to the congressional mandates and the 9/11 Commission, DHS and the Department

of State have worked closely with the Visa Waiver Program countries to deprive potential terrorists of a tool they use to threaten our country and other countries around the world: the ability to cross our borders using false documents and violate our immigration laws without detection.

One major step forward is the October 26, 2005 deadline requiring VWP countries to begin using biometrics in passports by producing passports with digital photographs. Digital photographs provide more security against counterfeiting than traditional photographs. Digital photos can be electronically stored and accessed, therefore making it easier to verify whether the individual currently presenting the passport is the same person to whom the passport was issued.

While a digital photo is an important step in requiring biometrics in passports, this is just the first in several steps to incorporate biometric identifiers into travel documents. To further advance our security measures, DHS has established policy requiring all VWP countries to produce passports with an integrated circuit chip, known as "*e-passports*", capable of storing biographic information from the data page of a passport, a digitized photograph and other biometric information no later than October 26, 2006.

The 27 countries participating in the VWP include: Andorra, Australia, Austria, Belgium, Brunei, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom.

Visitors with valid machine-readable passports issued prior to October 26, 2005, may continue to travel without a visa under the Visa Waiver Program. Passports issued on or after October 26, 2005, require the digital photo. Visitors who are issued a passport after the October 26 deadline that does not meet these requirements will be required to obtain a visa to travel to the United States.

Visitors can tell whether their passport meets these requirements if it contains a digital photograph that is printed on the page, not glued or laminated into the document. Digital photographs offer more security against counterfeiting than traditional photographs. Passport guidelines and samples showing what to look for to determine if a passport is in compliance can be viewed on the DHS website at

www.dhs.gov/interweb/assetlibrary/VWP_PassportRequirementTimeline_07-2005.pdf.

Instructions to apply for a U.S. visa are available at www.travel.state.gov, by calling the Department of State's Visa Services center at (202) 663-1225, or by contacting the nearest consulate or embassy.

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